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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,332

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Valery Vasilievich Ovchinnikov

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EXAMINER

TORRES, JUAN A

ART UNIT

PAPER NUMBER

2611

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,332	<b>Applicant(s)</b> OVCHINNIKOV, VALERY VASILIEVICH	
	<b>Examiner</b> JUAN A. TORRES	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.  
4a) Of the above claim(s) 1 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

The modifications to the drawings were received on 11/19/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 11/19/2008, the Examiner withdraws Drawing objections of the previous Office action.

### ***Specification***

The modifications to the specification were received on 11/19/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 11/19/2008, the Examiner withdraws Specification objections of the previous Office action.

### ***Claim Objections***

Claims 2 and 4 are objected to because of the following informalities:

Regarding claim 2, the recitation in line 8 of claim 2 “resistor;” seems to be improper because it is improperly constructed because the next limitation is the last limitation of the claim; it is suggested to be changed to “resistor; and”

Regarding claim 4, the recitation in line 5 of claim 4 “line;” seems to be improper because it is improperly constructed because the next limitation is the last limitation of the claim; it is suggested to be changed to “line; and”

Regarding claim 4, it is objected because they depend directly from claim 2 and claim 2 is objected.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The modifications to the claims were received on 11/19/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 11/19/2008, the Examiner withdraws claim rejections under 35 USC § 112 second paragraph to claim 1 of the previous Office action.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 3, claim 3 recites the limitation "A system according to claim 1" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Regarding claims 5 and 6, they are rejected because they depend directly from claim 3 and claim 3 is rejected.

Regarding claims 5 and 6, claims 5 and 6 recite the limitation "A method according to claim 3" in line 1. There is insufficient antecedent basis for this limitation in the claim because claim 3 is a system.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Lattice ("In-System Programming Design Guidelines for ispJTAG Devices", February 2002).

Regarding claim 2, AAPA discloses a two-wire communication line including a first wire and a second wire (page 3 lines 1-12); a power voltage supply including a first pole and a second pole (page 3 lines 1-12); wherein the first pole of the power supply and the first wire of the communication line are grounded (page 3 lines 1-12); the second wire of the communication line is connected to the second pole of the power supply via a first resistor (page 3 lines 1-12). AAPA doesn't disclose that the first wire of the communication line is grounded via a second resistor, the first and second resistors having the same resistance. Lattice discloses that the first wire of the communication line is grounded via an additional resistor whose value is equal to the value of the first resistor (page 6 "pin connections after programming" section. This technique can be applied to any type of data transfer or test signals). AAPA and Lattice teachings are analogous art because they are from the same field of communication systems. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate in the methodology disclosed by AAPA the ground resistor disclosed by Lattice. The suggestion/motivation for doing so would have been to improve the noise immunity (page 6 "pin connections after programming" section).

Regarding claim 4, AAPA and Lattice disclose claim 2, AAPA also discloses transmitting by the one or more transmitters a logic signal generated by an electric key

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through the communication line (page 3 lines 1-12); receiving by the one or more receivers the logic signal transmitted through the communication line (page 3 lines 1-12); wherein the transmitting and the receiving steps are performed using the second wire of the communication line (page 3 lines 1-12).

Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Olsen (US 5051980 A).

Regarding claim 2, AAPA discloses a two-wire communication line including a first wire and a second wire (page 3 lines 1-12); a power voltage supply including a first pole and a second pole (page 3 lines 1-12); wherein the first pole of the power supply and the first wire of the communication line are grounded (page 3 lines 1-12); the second wire of the communication line is connected to the second pole of the power supply via a first resistor (page 3 lines 1-12). AAPA doesn't disclose that the first wire of the communication line is grounded via a second resistor, the first and second resistors having the same resistance. Olsen discloses that the first wire of the communication line is grounded via an additional resistor whose value is equal to the value of the first resistor (abstract figure 7 claim 11 page 6 "pin connections after programming" section. This technique can be applied to any type of data transfer or test signals). AAPA and Olsen teachings are analogous art because they are from the same field of communication systems. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate in the methodology disclosed by AAPA the ground resistor disclosed by Olsen. The suggestion/motivation for doing so would have been to improve the noise immunity (claim 11).

Regarding claim 4, AAPA and Olsen disclose claim 2, AAPA also discloses transmitting by the one or more transmitters a logic signal generated by an electric key through the communication line (page 3 lines 1-12); receiving by the one or more receivers the logic signal transmitted through the communication line (page 3 lines 1-12); wherein the transmitting and the receiving steps are performed using the second wire of the communication line (page 3 lines 1-12).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUAN A. TORRES whose telephone number is (571)272-3119. The examiner can normally be reached on 8-6 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Juan Alberto Torres  
1/4/2007

/Juan A Torres/  
Primary Examiner, Art Unit 2611